

REMARKS/ARGUMENTS

Claims 1-20 are pending in this application.

Specification

Per the Patent Office's instruction, Applicant has amended the paragraph [0041] of the Patent Application to supply the relevant U.S. Patent Number on Page 2 of this paper.

Claims Allowed

Claims 2-3, 5, 7, 11-12, 14, and 18-19 are allowed. Applicant herein thanks the Patent Office for allowing these claims.

Claim Rejections – 35 USC § 102(e)

Claims 1, 4, 6, 8-10, and 15-17 were rejected under 35 U.S.C. § 102(e) as being anticipated by Hemmi et al. (U.S. Patent Number 6,470,482, hereinafter "Hemmi"). Applicant respectfully traverses these rejections.

Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *W.L. Gore & Assocs. v. Garlock*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984). Further, "anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim." (emphasis added) *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)).

Independent Claims 1, 8, and 15 each recite an element of "platform architecture." When rejecting Claims 1, 8, and 15, the Patent Office apparently has relied on col. 4, ll. 8-46 of Hemmi for teaching the element of "platform architecture" (see page 3, ll. 3-9; page 3, line 20 to page 4, line 2; and page 4, ll. 11-15 of Office Action). However, nowhere in col. 4, ll. 8-46 of Hemmi was a "platform architecture" (for an integrated circuit) taught, disclosed, or suggested. Indeed, Applicant has performed diligent search of the whole Hemmi patent and was not able to find the element of "platform architecture" in Hemmi.

Because Hemmi fails to teach, disclose or suggest the "platform architecture"

recited in Claims 1, 8, and 15, the rejections should be withdrawn and Claims 1, 8 and 15 should be allowed.

Claims 4 and 6, Claims 9-10, and Claims 16-17 depend from Claims 1, 8, and 15, respectively, and are therefore allowable due to their dependence.

Claim Rejections – 35 USC § 102(b)

Claims 8, 13, 15, and 20 were rejected under 35 U.S.C. § 102(b) as being anticipated by the Xin Yao paper entitled “Following the Path of Evolvable Hardware” (hereinafter “Yao”). Applicant respectfully traverses these rejections.

Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *W.L. Gore & Assocs. v. Garlock*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984). Further, “anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim.” (emphasis added) *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)).

Independent Claims 8 and 15 each recite an element of “platform architecture.” When rejecting Claims 8 and 15, the Patent Office apparently has relied on FIG. 1 of Yao for teaching the element of “platform architecture” (see page 5 of Office Action). FIG. 1 of Yao discloses major steps in an evolutionary cycle of evolvable hardware such as FPGAs. However, FPGAs do not include a platform architecture. Because FIG. 1 of Yao fails to teach, disclose or suggest the “platform architecture” recited in Claims 8 and 15, the rejections should be withdrawn and Claims 8 and 15 should be allowed.

Claims 13 and 20 depend from Claims 8 and 15, respectively, and are therefore allowable due to their dependence.

Response to the Patent Office’s Remarks

The Patent Office has alleged that “Applicant’s specification does not provide a specific definition for the term *platform architecture*. Applicant’s specification merely states in paragraph [0007] that the platform architecture ‘supplies a structure of the integrated circuit’” (Office Action, Pages 5 and 6). Applicant respectfully

disagrees.

The present application incorporates U.S. Patent Application Serial No. 10/034,838, filed December 27, 2001, now abandoned, by reference in its entirety (see, e.g., paragraph [0001] of Specification, and page 3 of Response to Office Action filed October 30, 2003).

The U.S. Patent Application Serial No. 10/034,838 described the term *platform architecture*, for example, in the following paragraphs:

[0007] Accordingly, the present invention is directed to platform architecture. In a first aspect of the present invention, a system for providing distributed dynamic functionality in an electronic environment includes a plurality of platforms. The platforms are suitable for providing a logic function, and include embedded programmable logic, memory and a reconfigurable core. The logic, memory and reconfigurable core are communicatively coupled via a fabric interconnect. A map is also included which expresses logic functions of the plurality of platforms.

[0017] Referring now to FIG. 1, an embodiment 100 of the present invention is shown wherein elements of an exemplary platform are provided. A platform may include a combination of the following elements: (1) embedded programmable logic 102, which in some contemplated embodiments is analogous to field programmable gate array (FPGA) or complex programmable logic device (CPLD) cores that FPGA companies sell as complete devices; (2) reconfigurable cores 104 such as a fundamental processor element to which may be added instruction-specialized, application-specific instruction set extensions; (3) an advanced interconnect 106, which in contemplated embodiments is scalable, and may be isochronous; (4) software models and heuristics 108; and (5) specialized memories 110, which may include nonvolatile structures like MRAM, which is a memory that is based on the magneto resistive effect, as well as other memories as contemplated by a person of ordinary skill in the art. Specialized one-time programmable flash memory may also be included.

(emphasis added).

Thus, by incorporating the U.S. Patent Application Serial No. 10/034,838 by

reference in its entirety, the present application has clearly and specifically described the term *platform architecture*. Therefore, the Patent Office's assertion that "[b]oth the disclosures of Hemmi and the Yao paper are sufficient to satisfy this loose and broad definition (Office Action, Page 6)" cannot be valid. Accordingly, Applicant respectfully requests the rejection of the claims be withdrawn.

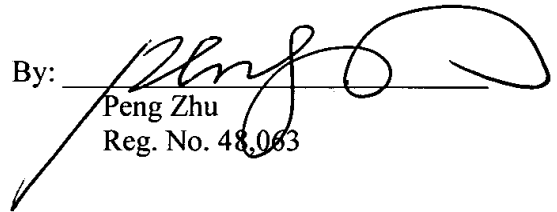
CONCLUSION

In light of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in the case.

Respectfully submitted on behalf of
LSI Logic Corporation,

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By: _____


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